Docket No. 20722 US1 (C038435/0175476)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Beat FLÜHMANN *et al.*	)	
Serial No.: 10/766,118	)	Examiner: K.E. Weddington
Filed: January 27, 2004	)	Art Unit: 1614
For: **PHYTANIC ACID DERIVATIVE COMPOSITIONS AND METHOD OF TREATING AND/OR PREVENTING DIABETES MELLITUS**	)	

New York, New York
September 12, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants wish to make of record the following documents (clean copies and a Form PTO-1449 listing the documents are enclosed):

OTHER DOCUMENTS

C7 C. Dreyer *et al.*, *"Control of the Peroxisomal β-Oxidation Pathway By A Novel Family Of Nuclear Hormone Receptors,"* Cell, vol 68, no. 5, pp. 879-887 (1992).

C8 P. Ellinghaus *et al.*, *"Phytanic Acid Activates The Peroxisome Proliferator-activated Receptor α (PPARα) In Sterol Carrier Protein 2-/ Sterol Carrier Protein x-deficient Mice,"* J. Biol. Chem., vol. 274, no. 5, pp. 2766-2772 (1999).

C9 S. Kitareewan *et al.*, "*Phytol Metabolites Are Circulating Dietary Factors That Activate The Nuclear Receptor RXR*," Mol. Biol. Cell, vol. 7, pp. 1153-1166 (1996).

C10 J.M. Lehmann *et al.*, "*An Antidiabetic Thiazolidinedione Is A High Affinity Ligand For Peroxisome Proliferator-activated Receptor γ (PPARγ)*," J. Biol. Chem., vol 270, no. 22, pp. 12953-12956 (1995).

C11 P.K. Lemotte *et al.*, "*Phytanic Acid Is A Retinoid X Receptor Ligand*," Eur. J. Biochem., vol. 236, pp. 328-333 (1996).

C12 H. Vuorinen-Markhola *et al.*, "*Lowering Of Triglycerides By Gemfibrozil Affects Neither The Glucoregulatory Nor Antilipolytic Effect Of Insulin In Type 2 (Non-insulin-dependent) Diabetic Patients*," Diabetologia, vol. 36, pp. 161-169 (1993).

C13 R. Mukherjee *et al.*, "*Sensitization Of Diabetic And Obese Mice To Insulin By Retinoid X Receptor Agonists*," Nature, vol. 386, no. 27, pp. 407-410 (1997).

C14 C. Wolfrum *et al.*, "*Phytanic Acid Is Ligand And Transcriptional Activator Of Murine Liver Fatty Acid Binding Protein*," J. Lipid Res., vol. 40, pp. 708-714 (1999).

C15 A.W. Zomer et al., "*Pristanic Acid And Phytanic Acid: Naturally Occurring Ligands For The Nuclear Receptor Peroxisome Proliferator-activated Receptor α*," J. Lipid Res., vol. 41, pp. 1801-1807 (2000).

The Examiner's independent consideration of all of these documents and their relevance before issuance of the next official action on the merits is respectfully requested. The Examiner is also requested to initial and return a copy of the accompanying form PTO-1449 to evidence such consideration.

This Supplemental Information Disclosure Statement is being filed in accordance with the provisions under 37 C.F.R. §1.97(c), after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of either: (1) a final action under § 1.311; or (2) a notice of allowance under §1.311, whichever occurs first.

This Supplemental Information Disclosure Statement is accompanied by the $180.00 fee set forth by 37 C.F.R. § 1.17(p).

If our check is missing or otherwise insufficient, or if a check has not been submitted but it is determined that a fee is required as set forth in 37 C.F.R. § 1.17(p) or 1.17(i)(l), or if any additional fees are required, please charge such fee (or credit any overpayment) to Deposit Account No. 02-4467. A copy of this sheet is enclosed.

If the Examiner has any questions regarding this paper, please contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2005.

Stephen J. Brown, Reg. No. 43,519

Respectfully submitted,

By: _____

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Form PTO-1449 (Rev.)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.: 20722 US1 (C038435/0175476)	SERIAL NO.: 10/766,118
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		APPLICANT(S): Beat FLÜHMANN *et al.*	
		FILING DATE: January 27, 2004	ART UNIT: 1614

U.S. PATENT DOCUMENTS

Examiner Initial	Cite No.	U.S. Patent Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	C7	C. Dreyer *et al.*, *"Control of the Peroxisomal β-Oxidation Pathway By A Novel Family Of Nuclear Hormone Receptors,"* Cell, vol 68, no. 5, pp. 879-887 (1992).
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EXAMINER	DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.